

Memorandum

Oregon Water Resources Department Water Rights Service Division

To: File S-89088

From: Alyssa Mucken

Subject: Irrigation Season and E2 Review Process

Date: March 19, 2021

I spoke with the applicant today, Cole Grube, who clarified that the requested season for this application is March 1 through October 31. Cole also requested for this application to be evaluated under the Expedited Process (E2) for the use of stored water only.

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Billie Parish & Cole Grube		PHONE (HM)	
PHONE (WK)	CELL 530-965-2757 & 541-968-5754		FAX
ADDRESS 1325 Salem Street			
CITY Chico	STATE CA	ZIP 95928	E-MAIL * colegrube@gmail.com

Organization

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate

Applicant Signature

Applicant Signature

Billie Parish

Print Name and Title if applicable

Cole Grube

Print Name and Title if applicable

Date

Date

3/7/21

3/7/21

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Applegate River	Tributary to: Rogue River
TRSQQ of POD: 38S / 03W / 29 / NESW (lot 1 of 2)	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

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- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Applegate River/Reservoir	irrigation	spring/summer	20/yr <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 3.85 Acres Supplemental: Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 20

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): <5 hp
- Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

pump to be located near riverbank and will be tied into the existing irrigation infrastructure installed by the previous owner.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
primarily drip, some sprinkler

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters

20 acre-feet is the minimum allotment per the USBR; irrigation water will be applied at night or early morning to minimize loss to evapotranspiration; drip irrigation will be used whenever feasible. IRRIGATION

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: utilize a pump-rite screen, or equivalent

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: n/a

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: utilize pump-rite screen, or equivalent

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: drip irrigation will be the primary method of application, thus preventing run-off

List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

No construction is required. Only the procurement and

- a) Date construction will begin: installation of a small, irrigation pump
- b) Date construction will be completed: N/A; SEE ABOVE
- c) Date beneficial water use will begin: JULY 2021, OR AS SOON AS APPROVED BY ODWR & USBR

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

A CONTRACT W/ USBR HAS ALSO BEEN APPLIED FOR.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 1,800
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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Attachment 2: Land Use Information Form

Land Use Information Form

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Table with 3 main columns: Type of Land Use Approval Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and Land Use Approval. Includes handwritten entry for Floodplain Revisions and UDO 7.2 + 8.4.

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Empty rectangular box for local government comments.

Signature block containing fields for NAME, TITLE, SIGNATURE, PHONE, DATE, and GOVERNMENT ENTITY.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Receipt form with fields for Applicant name, City or County, Staff contact, Signature, Phone, and Date.

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Land Use Information Form

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME Billie Parish & Cole Grube			PHONE (HM)		
PHONE (WK)		CELL 530-965-2757 & 541-968-5754		FAX	
ADDRESS 1325 Salem Street					
CITY Chico		STATE CA	ZIP 95928	E-MAIL* colegrube@gmail.com	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
38S	03W	29	NESW (lot 2)	706 & 708	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	vegetable/fruit irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) Applegate River/Reservoir

Estimated quantity of water needed: 20/yr cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for ___ household(s)
 Municipal Quasi-Municipal Instream Other ___

Briefly describe:

irrigate garden, fruit trees, and landscaping



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

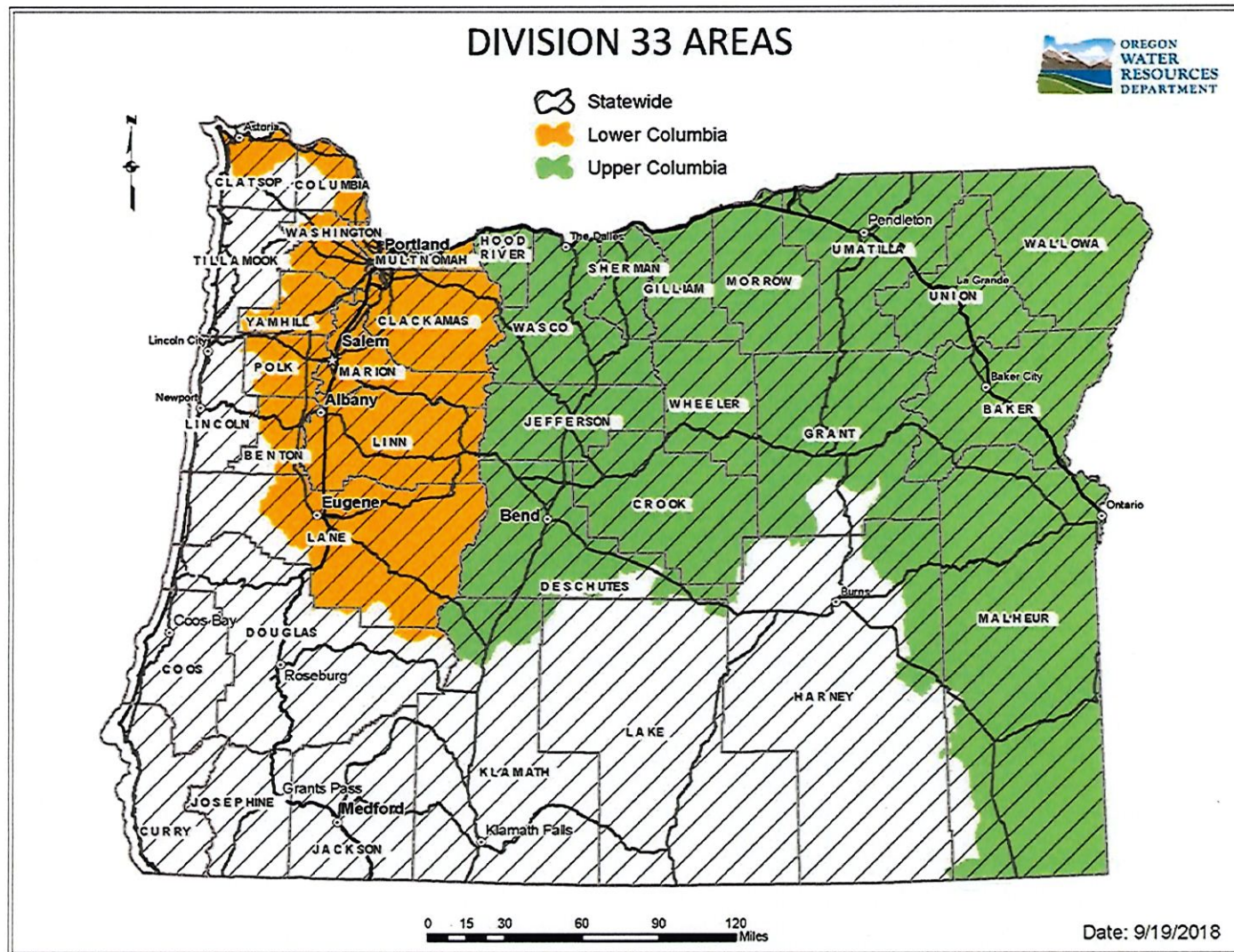
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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Exhibit "A"

Real property in the County of Jackson, State of Oregon, described as follows:

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PARCEL I:

Commencing at the northwest corner of Government Lot Two (2) in Section 29 in Township 38 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon; thence South 0°24'50" East along the west boundary of said Government Lot 2, a distance of 16.50 feet to the southwest corner of tract described in Volume 205 page 147, Deed Records, for the true point of beginning; thence continue South 0°24'50" East along said west boundary 745.36 feet to a 5/8" iron pin; thence South 89°24'25" East 152.75 feet to a concrete monument with metal tablet; thence South 0°24'50" East 230.51 feet to the center of the Applegate River; thence North 63°11' East along the center of the Applegate River 266.65 feet; thence North 0°21'40" West along that boundary established by agreement recorded March 29, 1967 as No. 67-02475, Official Records, 831.98 feet; thence North 89°24'25" West 142.66 feet to a 5/8" iron pin; thence North 0°24'50" West 21.10 feet to a 5/8" iron pin on the south line of said tract described in Volume 205 page 147, Deed Records; thence North 89°24'25" West along said south line 249.73 feet to the true point of beginning. EXCEPTING THEREFROM the following: Beginning at a 5/8" iron pin on the east line of Donation Land Claim No. 39 in Township 38 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, which iron pin bears South 0°24'50" East 16.50 feet from the northwest corner of Government Lot Two (2) in Section 29 in said Township and Range; thence South 89°24'25" East along the south boundary of tract described in Volume 205 page 147, Deed Records, 249.73 feet to a 5/8" iron pin; thence South 0°24'50" East 21.10 feet to a 5/8" iron pin; thence South 62°36'05" West 280.18 feet to the east line of said Donation Land Claim No. 39; thence North 0°24'50" West along said claim line 152.62 feet to the point of beginning.

ALSO, EXCEPTING THEREFROM the following: Beginning at a point on the east line of Donation Land Claim No. 39, in Section 29, Township 38 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon, said point being 1629.25 feet South from the northeast corner of said claim; thence North 82°57'50" East 397.59 feet, more or less, to a point on that agreement line described in a Boundary Line Agreement recorded as No. 67-02475, Official Records; thence North 0°21'40" West along said boundary line to the northeast corner of tract described in No. 72-07548, Official Records; thence North 89°24'25" West along the north line of said tract 142.66 feet to a 5/8" iron pin at the southeast corner of Parcel 3 as described in No. 77-14532, Official Records; thence South 62°36'05" West along the south line of said tract 280.18 feet to the east line of said Donation Land Claim No. 39; thence South 0°24'50" East along said west line to the true point of beginning.

ALSO, EXCEPTING THEREFROM the following: Beginning at a point on the east line of Donation Land Claim No. 39 in Township 38 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon, said point being 1629.25 feet South of the northeast corner of said claim; thence North 82°57'50" East 377.59 feet; thence South parallel with said claim line 130.00 feet; thence South 82°57'50" West 377.59 feet to the east line of said claim; thence North along said line 130.00 feet to the point of beginning.

PARCEL II:

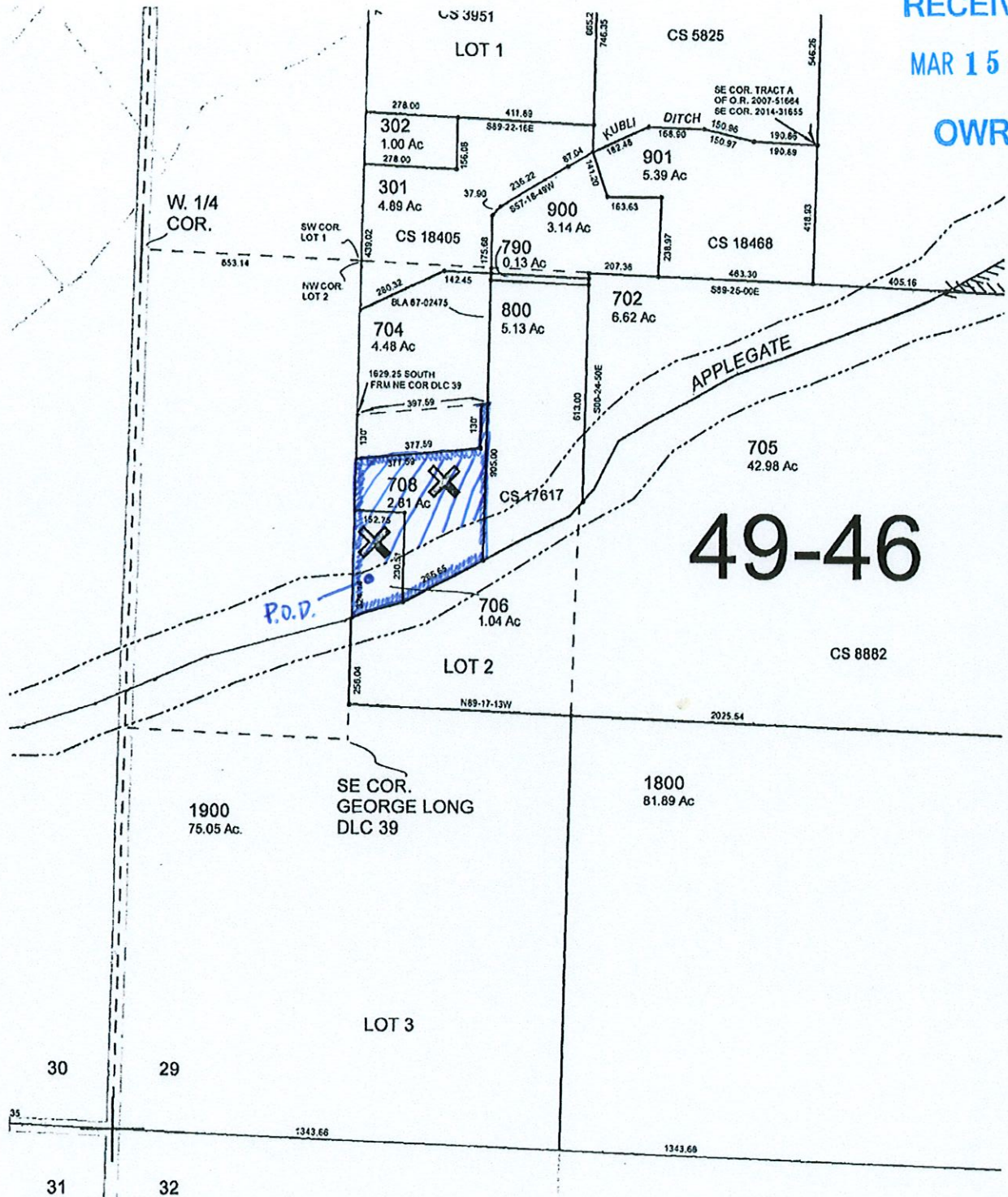
Beginning at a 5/8 inch iron pin on the East line of Donation Land Claim No. 39 in Township 38 South, Range 3 West, Willamette Meridian, Jackson County, Oregon, said pin bearing North 0° 24' 50" West, 669.70 feet from the reestablished Southeast corner of said Donation Land Claim; thence South 89° 24' 25" East, 152.75 feet to a concrete monument with metal tablet; thence South 0° 24' 50" East, 230.51 feet to the center of the Applegate River; thence along said River center, south 63° 11' West, 170.51 feet to intersect said East line of Donation Land Claim No. 39; thence North 0° 24' 50" West, along said East line, 309.02 feet to the Point of beginning.

NOTE: This legal description was created prior to January 1, 2008.

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TOWNSHIP 38 RANGE 3W SECTION 29 ↑
 THIS MAP IS FOR LOCATION PURPOSES ONLY
 NO LIABILITY IS ASSUMED FOR VARIATIONS
 DISCLOSED BY SURVEY OR COUNTY RECORDS
 FIRST AMERICAN TITLE

S.
C.
SEE MAP:

1" = 450'

POINT OF DIVERSION IS APPROXIMATELY
 650' WEST AND 400' NORTH OF THE
 SE 1/4 OF THE SW 1/4 OF SECTION 29



CS 2

CS 3424

CS 3702

CS 9768
CS 10763

CS 3894

307
6.50 Ac

306
7.55 Ac

300
6.61 Ac

204
2.06 Ac

205
2.90 Ac

NE COR.
DLC 39

304
5.00 Ac

400
1.49 Ac

203
2.97 Ac

500
1.49 Ac

1200
45.22 Ac

601
1.84 Ac

600
3.02 Ac

310
9.89 Ac

1000
10.53 Ac

1100
1.50 Ac

238
6.37 Ac

CS 3951
LOT 1

CS 5825

302
1.00 Ac

901
5.39 Ac

301
4.89 Ac

900
3.14 Ac

790
0.13 Ac

800
5.13 Ac

702
6.62 Ac

1501
1.97 Ac

1500
40.15 Ac

PART. PLAT
P-3-199

CS 16889
CS 12370

W. 1/4
COR.

SW COR.
LOT 1

NW COR.
LOT 2

704
4.48 Ac

800
5.13 Ac

702
6.62 Ac

707
18.28 Ac

1700
39.49 Ac

APPLEGATE
RIVER

49-46

705
42.98 Ac

708
2.81 Ac

706
1.04 Ac

LOT 2

CS 8882

P.O.D.

1902
4.16 Ac

SE COR.
DLC 39

P.1

1903
4.31 Ac

P.2

1800
81.89 Ac

RECEIVED
FEB 16 2021
OWRD
SALEM, OREGON

RECEIVED
MAR 15 2021
OWRD

1601
10.57 Ac

1601
20.00 Ac

CS 16121

1600
22.39 Ac

SEE MAP 38 3 W 30

40-2

11-2020

78.06
127.54

1900
66.45 Ac

PER AERIAL 2003
214.11
229.05

PER AERIAL 2003
192.29
173.39

PER AERIAL 2003
162.29
142.45

PER AERIAL 2003
130.00
110.00

PER AERIAL 2003
100.00
80.00

PER AERIAL 2003
70.00
50.00

PER AERIAL 2003
40.00
20.00

PER AERIAL 2003
10.00
5.00

PER AERIAL 2003
5.00
2.50

PER AERIAL 2003
2.50
1.25

PER AERIAL 2003
1.25
0.625

PER AERIAL 2003
0.625
0.3125

PER AERIAL 2003
0.3125
0.15625